

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

NOTICE OF DOCUMENT DISCREPANCIES

08 APR 10 PM 1:30

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

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TO:  U. S. DISTRICT JUDGE /  U. S. MAGISTRATE JUDGE Whelan  
 FROM: C Puttmann, Deputy Clerk RECEIVED DATE: 4/8/2008 DEPUTY

CASE NO.: 07cr3188 W DOCUMENT FILED BY: Defendant

CASE TITLE: USA v. Lopez-Ojeda

DOCUMENT ENTITLED: Defendant's Objections to the Court's Imposition of Probation/Supervised

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/>	<u>OTHER: Case closed per Judgment of 12/5/2007</u>

Date forwarded: 4/9/2008ORDER OF THE JUDGE / MAGISTRATE JUDGE

## IT IS HEREBY ORDERED:

The document is to be filed nunc pro tunc to date received.

The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate?  Yes. Court Copy retained by chambers

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: WhelanBy: Whelan

Dated: 4/10/08  
 cc: All Parties

# REJECTED

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA.

UNITED STATES OF AMERICA, ) Case Number: CR 03-014-01-PHX-FJM.  
Plaintiff, )  
 )  
 )  
 )  
 )  
vs. ) DEFENDANT'S OBJECTIONS TO THE  
 ) COURT'S IMPOSITION OF  
 ) PROBATION / SUPERVISED RELEASE.  
 )  
 )  
 )  
 )  
LOPEZ-OJEDA, CUAUHTEMOC, )  
Defendant. )  
 )  
 )  
 )

(A). -

## **STATEMENT OF THE ISSUES PRESENTED**

- 1.-Whether the District Court has Jurisdiction to revoke Defendant's Supervise Release term.
- 2.-Whether Supervised Release would be properly revoke when the Government "did not" provide with the conditions that Mr. Lopez-Ojeda,Cuauhtemoc is charged with violating.
- 3.-Whether the imposition of Probation / Supervise Release is proper when the relevant Title 8 U.S.C. § 1326 does not mandate the imposition of that separte sentence.

Lopez-Ojeda, Cuauhtemoc.  
Reg. No.: 60873-208.  
California City Correctional Center  
P.O. Box 2590  
California City, CA 93504

## IN PROPRIA PERSONA